

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

SAMUEL VAIL and  
STEPHANIE VAIL,

Plaintiffs,

Case No. 13-10393

v.

Hon. John Corbett O'Meara

LAW OFFICES OF SUSAN ADDISON BLUSH, P.C.

Defendant.

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**ORDER OF PARTIAL DISMISSAL**

Plaintiffs Samuel Vail and Stephanie Vail filed a three-count complaint in this matter alleging the following causes of action: Count I, violation of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692; Count II, violation of the Michigan Occupational Code, Mich. Comp. Laws §§ 339.901 and 339.915; and Count III, violation of the Michigan Collection Practices Act, Mich. Comp. Laws §§ 445.251 and 444.252.

Although Plaintiff's cause of action arising under a federal statute is cognizable in this court pursuant to 28 U.S.C. § 1331, the remaining allegations present claims based solely on state law. This court declines to exercise supplemental jurisdiction over Plaintiff's state law claims in order to avoid jury confusion. See 28 U.S.C. § 1367(c); United Mine Workers v. Gibbs, 383 U.S. 715 (1966); and Padilla v. City of Saginaw, 867 F. Supp. 1309 (E.D. Mich. 1994).

Therefore, it is hereby **ORDERED** that Counts II and III are **DISMISSED**.

Date: April 22, 2013

s/John Corbett O'Meara  
United States District Court

I hereby certify that on April 22, 2013 a copy of this order was served upon counsel of record using the ECF system.

s/William Barkholz  
Case Manager